

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HERBERT L. CAMPBELL,

Petitioner,

vs.

SCOTT R. FRAKES, et al;

Respondent.

**4:22CV3210**

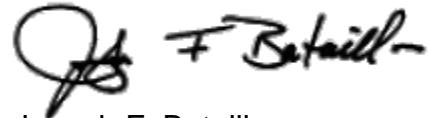
**MEMORANDUM AND ORDER**

This matter is before the Court on Petitioner's form "Notice of Appeal (Civil)," [Filing No. 1](#), which the Court has docketed as a Petition for Writ of Habeas Corpus, and Motion for Leave to Proceed in Forma Pauperis, [Filing No. 2](#). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this Court (see inmate trust account statement at [Filing No. 5](#)), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. See [28 U.S.C. § 1915\(a\)\(1\)](#).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis, [Filing No. 2](#), is granted. The next step in this case is for the Court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The Court will conduct this review in its normal course of business.

Dated this 17th day of October, 2022.

BY THE COURT:



Joseph F. Bataillon  
Senior United States District Judge